

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

*

V

* **Criminal Case No. JRR-23-0146**

GARRICK POWELL

*

* * * * *

UNOPPOSED MOTION TO CONTINUE SENTENCING HEARING

The defendant, Garrick Powell, through counsel, Christopher Nieto, Nieto Law Office, hereby respectfully moves this Honorable Court to cancel the currently scheduled sentencing hearing on July 16, 2025 and reschedule this matter for October 15, 2025. In support of this request, Mr. Powell therefore states the following:

1. The defendant, Garrick Powell, is charged in a two-count indictment with Possession of Ammunition by a Prohibited Person, in violation of 18 U.S.C. § 922(g)(1), and Unlawful Possession of a Machinegun, in violation of 18 U.S.C. § 922(o).

2. On April 7, 2025, Mr. Powell appeared before Her Honor and pled guilty to Count Two of the Indictment. The Court scheduled sentencing for July 16, 2025.

3. During the time frame that this crime was committed, Mr. Powell was on supervised probation in two Baltimore City Circuit Court cases. Mr. Powell's arrest in this current case initiated violations of those probations, but Mr. Powell has not yet been transported to court to resolve those matters. Due to that fact, these violations of probation ("VOPs") are still pending and remain unresolved.

4. Undersigned counsel has tried to work with the State's Attorney Office for Baltimore

City to ensure Mr. Powell would be transported to court since February of 2024. Despite counsel's best efforts, these efforts have been fruitless. Most recently, on June 20, 2025, Mr. Powell was again not transported to state court for his scheduled VOP hearings. The state judge rescheduled these VOPs for September 20, 2025.

5. Undersigned counsel is now working with the Office of the Public Defender and the VOP judge's chambers to ensure transportation for Mr. Powell in September. We are hopeful, based on recent conversations with the state parties, that the Court's better understanding of the process for transporting a federal detainee to state court will result in Mr. Powell's transportation and a final adjudication of these matters.

6. Importantly, Mr. Powell wishes to resolve these outstanding matters prior to entry into the Bureau of Prisons. As open cases, their existence will only serve to increase his security classification, resulting in him being housed with more dangerous detainees than appropriate, and preclude any program sentence reductions or halfway house placement that are afforded all other inmates. It is in his best interests to resolve all these collateral matters prior to the imposition of his federal sentence.

7. Accordingly, Mr. Powell respectfully requests that this Honorable Court continue the currently scheduled sentencing hearing of July 16th until October of 2025. We respectfully submit that scheduling our sentencing for the fall will provide sufficient time for Mr. Powell to resolve these outstanding VOPs and proceed with federal sentencing without any open, unresolved matters.

8. Undersigned counsel has spoken with Assistant United States Attorney Patricia

McLane about this request, and she does not object. In anticipation of this filing, the parties contacted chambers and tentatively selected the date of October 15, 2025 as an appropriate date for this sentencing hearing.

WHEREFORE, the defendant respectfully requests that this Honorable Court continue the currently scheduled sentencing hearing date of July 16th to October 15, 2025.

Respectfully submitted,

_____/s/
CHRISTOPHER C. NIETO
Nieto Law Office
233 East Redwood Street, Suite 1000C
Baltimore, Maryland 21202
Tel: (443) 863-8189
Fax: (443) 378-5723
Email: cnieto@nietolawoffice.com

CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2025, a copy of Defendant's Consent Motion to Continue, which was electronically filed in this case, was emailed to Patricia McLane and Stanton Lawyer.

_____/s/
Christopher C. Nieto, #30031
Attorney for Mr. Powell